

CHAPTER NO. 1017

HOUSE BILL NO. 4046

By Representatives McMillan, Sontany, Langster

Substituted for: Senate Bill No. 3929

By Senators Kyle, Harper, Haynes, Henry

AN ACT to amend Tennessee Code Annotated, Sections 68-105-102, 68-105-106, 68-105-109 and 68-105-118, relative to blasting and explosives.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-105-102, is amended by adding the following as new, appropriately designated subdivisions:

() "ATF means the Bureau of Alcohol, Tobacco, Firearms, and Explosives of the United States Department of Justice;

() "ATF permit or license" means the permit or license issued by the ATF and required by 18 U.S.C. § 842 for any person who intends to engage in business as an explosive materials user, importer, manufacturer, or dealer;

() "Letter of denial" means a written notification from the ATF indicating that an individual is not approved to possess, use, manufacture, distribute, transport, or direct the use or management of explosives;

SECTION 2. Tennessee Code Annotated, Section 68-105-106, is amended by adding the following language as a new, appropriately designated subsection:

() Blasting firms shall submit any letter of denial received from the ATF to the state fire marshal within five (5) calendar days of receipt.

SECTION 3. Tennessee Code Annotated, Section 68-105-109(d), is amended by deleting the language "five hundred dollars (\$500)" and by substituting instead the language "two thousand five hundred dollars (\$2,500) if an individual, and five thousand dollars (\$5,000) if a firm,".

SECTION 4. Tennessee Code Annotated, Section 68-105-118, is amended by adding the following language as a new, appropriately designated subdivision:

() Any current registration as a blaster, limited blaster, handler, or firm will automatically become invalid if the registrant's ATF license or permit is revoked or otherwise becomes invalid;

SECTION 5. For purposes of effectuating the intent of this act, the department of commerce and insurance is authorized to promulgate rules by public necessity pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 6. For the purposes of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: May 27, 2006


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 27th day of June 2006


PHIL BREDESEN, GOVERNOR